

REMARKS/ARGUMENTS

Claims 2-20 remain in this application. Claims 2-8, 10-17, and 19 have been amended without prejudice or disclaimer of any previously claimed subject matter. Structures I, IV, and V in claims 2, 7, and 8 respectively have been amended to correct typographical errors. The correct structures are shown in the specification on page 3, line 25.

The Examiner in the Office Action dated April 16, 2003, imposed an election requirement between Species 1 and 2. Applicants elect Species 1, the purine nucleosides of Formulae I, without traverse. At least claims 2, 3, 4, 7, 14, 17, 18, 19, and 20 as amended, read on the elected species. It is noted that Applicants will be entitled to consideration of claims to additional species upon allowance of the generic claim.

Applicants retain the right to prosecute any unelected or unclaimed subject matter in one or more divisional or continuation applications claiming priority to the above referenced application.

The U.S. Patent Office mailed a Notice of Abandonment on September 8, 2003, for an alleged failure to timely reply to this Restriction Requirement dated April 16, 2003. Applicants submit that the Notice of Abandonment was mailed in error. Applicants hereby enclose a petition to have this inappropriate abandonment withdrawn.

Examination of the amended claims is respectfully requested.

Appl. No. 09/879,854
Office Action dated April 16, 2003
Reply to Office Action dated October 16, 2003

The Commissioner is authorized to charge any fees not provided herewith, or credit any overpayment associated with this filing to Deposit Account 11-0980.

Respectfully submitted,

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